

REMARKS

Claims 1-17 are pending after entry of this response. Claim 1 has been amended to include the pertinent features of claim 8. Claim 8 has been cancelled. The dependent claims have been modified to refer to the combination pass key and water treatment apparatus in the preamble. Claims 6 and 11 have been amended to remove the language objected to in the Office Action. Claims 15 and 16 are new and depend from claims 6 and 11, respectively. These new claims add subject matter previously recited in claims 6 and 11. Claim 17 has been added to describe the features for connecting the pass key to the water treatment device in one embodiment of the invention in order to provide communication. This claim is supported by at least paragraph [0016].

Drawings have been added to the application to address remarks from the Examiner that the application needs drawings. These drawings depict an electronic key being separate from a water purification apparatus unit, with a place for the key to be inserted, and having controls in the unit (shown in dashed lines). Figure 2 shows two remote locations with control points electronically connected with the one in the main unit. These drawings depict information described in the specification, and in particular at least paragraphs [0013] – [0016].

The Specification has been amended to include a description of the drawings and the addition of reference numerals that tie in with the drawings.

It is respectfully submitted that no new matter has been added to the application.

Rejections

Claims 1-3, 5-8, 13 and 14 have been rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 4,969,991 (Valadez). The Examiner has taken the position that Valadez includes a water purification system that includes a data carrier (which the Examiner

contends is the controller). Based on the following, Applicants disagree with the current rejection.

Valadez discloses a water purification system that includes a programmable microcontroller or computer that is shown attached to the water purification system. See, Fig. 1. There is no discussion nor suggestion of the microcomputer may be separable. On the contrary, the fixed wiring shown clearly supports the position that Valadez teaches a water treatment unit with a built in microprocessor.

Claim 1 has been amended to recite the combination of a water treatment apparatus and a separable pass key, i.e., a pass key that can be disengaged from the unit, and which includes codes that relate to the operation of the water treatment apparatus. The water treatment apparatus is adapted to read the pass key when the pass key is arranged for communicating with the apparatus, e.g., inserted into the water treatment apparatus.

In the Office Action, the Examiner has identified the controller in Valadez as being the pass key. This controller is a "microcontroller or computer 44", clearly a fixed part of the water dispensing system of Valadez. There is no teaching or suggestion in Valadez of being able to separate the microcontroller 44 from the rest of the components, and indeed microcontrollers are all provided on circuit boards or the like which are fixed components in most apparatus, and certainly in such dispensing apparatus.

In rejecting claim 8 in the Office Action, the Examiner stated that Valadez discloses a water treatment apparatus adapted to receive and read its 'pass key' (column 7, lines 42-50). This passage involves the word "receive" in the form of "receiving an energised signal", i.e. an electronic signal reception. By defining the pass key of the present invention as "separable", it is clear that the pass key of the present invention is physically separate from the water treatment apparatus, and a physical device. As such, the pass key must be physically presented to the water treatment apparatus in order for the pass key to communicate with the water treatment apparatus.

As described in one embodiment of the invention in the present application, the pass key is required to be "correctly connected, installed and/or fitted" with the host water treatment apparatus to permit communication. Claim 1 has been amended to define that the pass key must be in communication with the water treatment apparatus for water treatment apparatus to read the pass key. As should be apparent from the specification of the present invention (see, paragraph [0015]), the water treatment apparatus includes its own electronics which are capable of reading the circuitry in the pass key.

Clearly Valadez does not disclose any separable pass key that can be read by the host water treatment apparatus only when the pass key is in communication with the water treatment apparatus. Moreover, Valadez discloses only a single control unit, thus there is nothing else in the device in Valadez that can "read" the microcomputer when it is connected. Furthermore, there is no motivation to modify the device in Valadez since Valadez is a single, self-contained device. As such, there is no need to include any separable pass key.

Accordingly, based on the foregoing, it is respectfully submitted that claim 1 is patentable over Valadez. Claims 2, 3 and 5-8 all depend from claim 1 and are, therefore, also patentable over Valadez, Claim 13 includes similar distinguishing features as claim 1 and is, therefore, patentable for the same reasons as noted above. Claim 14 depends from claim 13 and is also patentable.

Claims 4 and 9-12 were rejected under 35 USC §103 as being obvious in view of Valadez. Applicants respectfully submit that, in light of the comments above, these claims are all patentable over Valadez.

Based on the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections of all the claims in the present application.

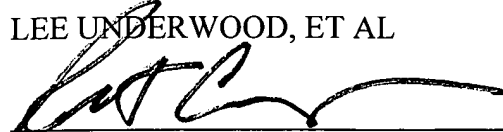
New claims 15-17 depend for pending claims and, therefore, in light of their dependency they are also patentable.

If the Examiner believes direct communication will assist in the examination of the present invention, the Examiner is invited to contact the undersigned.

Respectfully submitted,

LEE UNDERWOOD, ET AL

BY

A handwritten signature in black ink, appearing to read 'Robt E. Cannuscio', is written over a horizontal line.

ROBERT E. CANNUSCIO

Registration No. 36,469

DRINKER, BIDDLE & REATH, LLP.

One Logan Square

18th and Cherry Streets

Philadelphia, PA 19103

(215) 988-3303

(215) 988-2757 – Fax

Attorney for the Applicant

Application Serial No.: 10/568,294
Response to Office Action mailed March 19, 2009
Attorney Docket 36290-0392-00-US (221804)

Amendments to the Drawings

Please add the drawing sheet that is submitted herewith to the application. The drawing sheet has been marked as a New Sheet.